

PROOF

STATE OF IOWA

Senate Journal

THURSDAY, MARCH 30, 2017

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JOURNAL OF THE SENATE

EIGHTY-FIRST CALENDAR DAY
FIFTY-FIFTH SESSION DAY

Senate Chamber
Des Moines, Iowa, Thursday, March 30, 2017

The Senate met in regular session at 9:02 a.m., President Whitver presiding.

Prayer was offered by Reverend Chuck Kelsey, pastor of the First Congregational United Church of Christ in Mason City, Iowa. He was the guest of Senator Ragan.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Mary Tess Urbanek.

The Journal of Wednesday, March 30, 2017, was approved.

HERBERT HOOVER UNCOMMON PUBLIC SERVICE AWARD

Senator Johnson introduced to the Senate chamber members from the Hoover Presidential Foundation; Director of the Hoover Presidential Foundation in West Branch, Jerry Fleagle; Hoover Board of Trustees president, Bob Downer of Iowa City; Hoover Trustees, Bill Bywater of Iowa City and Bruce Barnhart of West Branch; and Hoover Presidential Foundation communications manager, Brad Reiners of West Branch.

President Whitver announced the 2017 Herbert Hoover Uncommon Public Service Award recipient, Senator Robert M. Hogg.

Senator Hogg addressed the Senate with brief remarks and was presented the Uncommon Public Service Award by Jerry Fleagle, the executive director of the foundation. Jerry Fleagle addressed the Senate with brief remarks.

The Senate rose and expressed its congratulations.

HOUSE MESSAGE RECEIVED AND CONSIDERED

The following message was received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 30, 2017, **adopted** the following resolution in which the concurrence of the Senate is asked:

[House Concurrent Resolution 6](#), a concurrent resolution relating to Pioneer Lawmakers.

Read first time and referred to committee on **Rules and Administration**.

INTRODUCTION OF GOVERNOR'S APPOINTEE

The Secretary of the Senate introduced Michael Mauro, the Governor's appointee to be the Labor Commissioner. He was the guest of Senator Schultz and the committee on Labor and Business Relations.

The Senate stood at ease at 9:23 a.m. until the fall of the gavel for the purpose of party caucuses.

The Senate resumed session at 10:33 a.m., President Whitver presiding.

LEAVES OF ABSENCE

Leaves of absence were granted as follows:

Senators Anderson and Bertrand, until they arrive, on request of Senator Dix; and Senator D. Johnson, until he arrives, on request of Senator Hogg.

CONSIDERATION OF BILL
(Regular Calendar)

Senator Dix asked and received unanimous consent to take up for consideration [House File 586](#).

House File 586

On motion of Senator Feenstra, [House File 586](#), a bill for an act relating to financial matters, including mechanic's liens, and the Iowa finance authority by establishing a rent subsidy program, modifying shelter assistance fund grant award requirements, and revising filing requirements for certain bonds and notes issued by the authority, with report of committee recommending passage, was taken up for consideration.

Senator Feenstra moved that the bill be read the last time now and placed upon its passage, which motion prevailed by a voice vote, and the bill was read the last time.

On the question "Shall the bill pass?" ([H.F. 586](#)), the vote was:

Yeas, 47:

Allen	Dawson	Jochum	Rozenboom
Behn	Dix	Johnson, C.	Schneider
Bisignano	Dotzler	Kapucian	Schultz
Bolkcom	Dvorsky	Kinney	Segebart
Boulton	Edler	Kraayenbrink	Shipley
Bowman	Feenstra	Lofgren	Sinclair
Breitbach	Garrett	Lykam	Smith
Brown	Greene	Mathis	Taylor
Chapman	Guth	McCoy	Whitver
Chelgren	Hart	Petersen	Zaun
Costello	Hogg	Quirmbach	Zumbach
Danielson	Horn	Ragan	

Nays, none.

Absent, 3:

Anderson	Bertrand	Johnson, D.
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The bill, having received a constitutional majority, was declared to have passed the Senate and the title was agreed to.

IMMEDIATELY MESSAGED

Senator Dix asked and received unanimous consent that [House File 586](#) be **immediately messaged** to the House.

HOUSE MESSAGES RECEIVED AND CONSIDERED

The following messages were received from the Chief Clerk of the House:

MR. PRESIDENT: I am directed to inform your honorable body that the House has on March 30, 2017, **passed** the following bills in which the concurrence of the House was asked:

[Senate File 332](#), a bill for an act making changes to the controlled substance schedules, and providing penalties, and including effective date provisions.

[Senate File 351](#), a bill for an act providing for the elimination of the Iowa emergency response commission.

[Senate File 410](#), a bill for an act relating to a declaration concerning the final disposition of a person's remains and including applicability provisions.

ALSO: That the House has on March 30, 2017, **passed** the following bill in which the concurrence of the Senate is asked:

[House File 609](#), a bill for an act providing for the imposition of the local hotel and motel tax by a land use district.

Read first time and referred to committee on **Ways and Means**.

ADJOURNMENT

On motion of Senator Dix, the Senate adjourned at 11:20 a.m. until 9:00 a.m., Friday, March 31, 2017.

APPENDIX

REPORTS OF COMMITTEE MEETINGS

EDUCATION

Convened: Thursday, March 30, 2017, 1:05 p.m.

Members Present: Sinclair, Chair; Edler, Vice Chair; Quirmbach, Ranking Member; Behn, Bowman, Chelgren, Danielson, Dvorsky, Greene, Hart, C. Johnson, Kraayenbrink, Lofgren, Mathis, and Rozenboom.

Members Absent: None.

Committee Business: Governor's appointees.

Adjourned: 1:30 p.m.

HUMAN RESOURCES

Convened: Thursday, March 30, 2017, 11:25 a.m.

Members Present: Segebart, Chair; Costello, Vice Chair; Mathis, Ranking Member; Bolkcom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley.

Members Absent: Chapman (excused).

Committee Business: Approved [HF 532](#). Governor's appointees.

Adjourned: 11:40 a.m.

LOCAL GOVERNMENT

Convened: Thursday, March 30, 2017, 2:05 p.m.

Members Present: Garrett, Chair; Lofgren, Vice Chair; Allen, Ranking Member; Chelgren, Dvorsky, Greene, Guth, Kraayenbrink, McCoy, Quirmbach, and Segebart.

Members Absent: None.

Committee Business: Approved [HF 528](#).

Adjourned: 2:30 p.m.

STATE GOVERNMENT

Convened: Thursday, March 30, 2017, 2:05 p.m.

Members Present: Smith, Chair; Chapman, Vice Chair; Bisignano, Ranking Member; Bowman, Brown, Danielson, Dawson, Feenstra, Jochum, Petersen, Schneider, Schultz, and Zaun.

Members Absent: Anderson and Horn (both excused).

Committee Business: Approved HFs 89, 467, 541, 566, 571, and 601. Governor's appointees.

Adjourned: 3:05 p.m.

TRANSPORTATION

Convened: Thursday, March 30, 2017, 11:25 a.m.

Members Present: Kapucian, Chair; Breitbach, Vice Chair; Bowman, Ranking Member; Bisignano, Brown, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach.

Members Absent: Anderson and Bertrand (both excused).

Committee Business: Approved [HF 496](#).

Adjourned: 12:20 p.m.

INTRODUCTION OF BILL

[Senate File 497](#), by committee on Appropriations, a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

Read first time under Rule 28 and **placed on Appropriations calendar**.

SUBCOMMITTEE ASSIGNMENTS

[House File 146](#)
(Reassigned)

JUDICIARY: Sinclair, Chair; Bisignano, Boulton, Dawson, Edler, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, Taylor, and Zaun

[House File 609](#)

WAYS AND MEANS: Feenstra, Chair; Edler and Quirmbach

FINAL COMMITTEE REPORTS OF BILL ACTION

APPROPRIATIONS

Bill Title: [SENATE FILE 497 \(SSB 1185\)](#), a bill for an act relating to transportation and other infrastructure-related appropriations to the department of transportation, including allocation and use of moneys from the road use tax fund and the primary road fund.

Recommendation: APPROVED COMMITTEE BILL.

Final Vote: Ayes, 20: Schneider, Kraayenbrink, Bolkcom, Bertrand, Boulton, Costello, Danielson, Dotzler, Garrett, Greene, Guth, Hart, C. Johnson, Lofgren, Mathis, McCoy, Ragan, Rozenboom, Shipley, and Zumbach. Nays, none. Absent, 1: Chelgren.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

HUMAN RESOURCES

Bill Title: [HOUSE FILE 532](#), a bill for an act relating to prescribing practitioner registration with the drug prescribing and dispensing information program.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Segebart, Costello, Mathis, Bolkcom, Chelgren, Garrett, Greene, Jochum, C. Johnson, Quirmbach, Ragan, and Shipley. Nays, none. Absent, 1: Chapman.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

JUDICIARY

Bill Title: [HOUSE JOINT RESOLUTION 1](#), a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to searches and seizures of electronic communications and data.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, 1: Edler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 195](#), a bill for an act relating to requests for notice of probate proceedings.

Recommendation: DO PASS.

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, 1: Edler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 296](#), a bill for an act relating to controlled substances, including by temporarily designating substances as controlled substances, modifying the penalties for imitation controlled substances and certain controlled substances, modifying the controlled substances listed in schedules I, III, and IV, and providing penalties.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Zaun, Dawson, Bisignano, Boulton, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, 1: Taylor. Absent, 1: Edler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 524](#), a bill for an act relating to controlled substances, including reporting under the drug prescribing and dispensing information program and making penalties applicable.

Recommendation: AMEND AND DO PASS, AS PROVIDED IN AMENDMENT [S-3267](#).

Final Vote: Ayes, 12: Zaun, Dawson, Taylor, Bisignano, Boulton, Garrett, Kinney, Petersen, Schneider, Schultz, Shipley, and Sinclair. Nays, none. Absent, 1: Edler.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

LOCAL GOVERNMENT

Bill Title: [HOUSE FILE 528](#), a bill for an act abolishing county compensation boards.

Recommendation: DO PASS.

Final Vote: Ayes, 7: Garrett, Lofgren, Chelgren, Greene, Guth, Kraayenbrink, and Segebart. Nays, 4: Allen, Dvorsky, McCoy, and Quirmbach. Absent, none.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

STATE GOVERNMENT

Bill Title: [HOUSE FILE 89](#), a bill for an act authorizing a retirement system merger relating to an alternative retirement system for certain school district employees.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Smith, Chapman, Bisignano, Bowman, Brown, Danielson, Dawson, Feenstra, Jochum, Petersen, Schneider, Schultz, and Zaun. Nays, none. Absent, 2: Anderson and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 467](#), a bill for an act including law enforcement communications systems within the scope of state communications included in the Iowa communications network.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Smith, Chapman, Bisignano, Bowman, Brown, Danielson, Dawson, Feenstra, Jochum, Petersen, Schneider, Schultz, and Zaun. Nays, none. Absent, 2: Anderson and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 541](#), a bill for an act relating to licensed real estate professionals and real estate disclosure statements.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Smith, Chapman, Bisignano, Bowman, Brown, Danielson, Dawson, Feenstra, Jochum, Petersen, Schneider, Schultz, and Zaun. Nays, none. Absent, 2: Anderson and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 566](#), a bill for an act relating to political subdivision elections by changing the date of the election of directors of local school districts, merged areas, and area education agency boards, by providing for the combined administration of regular and special school and city elections, making changes to the administration of elections for political subdivisions located in more than one county, establishing requirements for ballot arrangement and placement for political subdivision offices, and including effective date and applicability and transition provisions.

Recommendation: DO PASS.

Final Vote: Ayes, 13: Smith, Chapman, Bisignano, Bowman, Brown, Danielson, Dawson, Feenstra, Jochum, Petersen, Schneider, Schultz, and Zaun. Nays, none. Absent, 2: Anderson and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

ALSO:

Bill Title: [HOUSE FILE 571](#), a bill for an act relating to the confidentiality of information contained in audio and video call recordings.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Smith, Chapman, Bisignano, Bowman, Brown, Dawson, Feenstra, Petersen, Schneider, Schultz, and Zaun. Nays, 2: Danielson and Jochum. Absent, 2: Anderson and Horn.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

TRANSPORTATION

Bill Title: [HOUSE FILE 496](#), a bill for an act relating to driver education course requirements for students who require a motor vehicle modified with special adaptive equipment.

Recommendation: DO PASS.

Final Vote: Ayes, 11: Kapucian, Breitbach, Bowman, Bisignano, Brown, Danielson, Horn, Kraayenbrink, Lykam, Smith, and Zumbach. Nays, none. Absent, 2: Anderson and Bertrand.

Fiscal Note: NOT REQUIRED UNDER JOINT RULE 17.

**GOVERNOR'S APPOINTEES PLACED ON
EN BLOC CONFIRMATION CALENDAR**

The following appointees, assigned to standing committees for investigation, were placed on the En Bloc Confirmation Calendar with recommendation for confirmation:

EDUCATION

Christine Bowker – Iowa Autism Council
Jeanne Kerkoff – Iowa Autism Council
Angela Logsdon – Iowa Autism Council
Nicholos Nopoulos – Iowa Autism Council
Dr. Sean Peterson – Iowa Autism Council

David Arens – Early Childhood Iowa State Board
James Christensen – Early Childhood Iowa State Board
Terry Harrmann – Early Childhood Iowa State Board

Mary Overholtzer – Board of Educational Examiners
Michael Ross – Board of Educational Examiners
Erin Schoening – Board of Educational Examiners
Anthony Voss – Board of Educational Examiners

Keith England – School Budget Review Committee

HUMAN RESOURCES

Cheryl Arnold – Commission on Aging
Quentin Hart – Commission on Aging
G. Willard Jenkins – Commission on Aging

Susan Theisen – Board of Athletic Training

Dr. Kevin Allemagne – Board of Behavioral Science
Donald Gilbert – Board of Behavioral Science
Jeff Kerber – Board of Behavioral Science
Sherill Whisenand – Board of Behavioral Science

Courtney Clarke – Child Advocacy Board
Marc Elcock – Child Advocacy Board
Sara Parris – Child Advocacy Board
Elaine Sanders – Child Advocacy Board
Wayne Schellhammer – Child Advocacy Board

Harold Miller – Health Facilities Council
Brenda Perrin – Health Facilities Council

Eric Kohlsdorf – Healthy and Well Kids in Iowa (HAWK-I) Board
Dr. Kaaren Vargas – Healthy and Well Kids in Iowa (HAWK-I) Board

Mark Anderson – Council on Human Services
Kimberly Kudej – Council on Human Services

Lorena Gingerich – Commission of Latino Affairs

Thomas Bouska – Mental Health and Disability Services Commission
Peter Brantner – Mental Health and Disability Services Commission
Thomas Broeker – Mental Health and Disability Services Commission
Kathryn Johnson – Mental Health and Disability Services Commission
Betty King – Mental Health and Disability Services Commission
Geoff Lauer – Mental Health and Disability Services Commission

Cindy Crawford – Board of Sign Language Interpreters and Transliterators

George Belitsos – Commission on Tobacco Use Prevention and Control

JUDICIARY

Charles Larson, Sr. – Board of Parole
Sheila Wilson – Board of Parole

STATE GOVERNMENT

Benjamin Jung – Commission of Asian and Pacific Islander Affairs
James Suong – Commission of Asian and Pacific Islander Affairs

John Anderson – Board of Barbering
Terry Moll – Board of Barbering

Ryan Brems – Commission for the Blind

Robert Brecke – Boiler and Pressure Vessel Board
Timothy Fehr – Boiler and Pressure Vessel Board
Amy Iles – Boiler and Pressure Vessel Board

Leslie Duinink – Board of Chiropractic
Dr. Rex Jones – Board of Chiropractic
Nancy Netolicky – Board of Chiropractic

Anna Brown – Commission on Community Action Agencies
Ajit Kumar – Commission on Community Action Agencies
Mary Whisenand – Commission on Community Action Agencies

Jerry Akers – Board of Cosmetology Arts and Sciences
Mary Clausen – Board of Cosmetology Arts and Sciences
Jacquelyn Hein – Board of Cosmetology Arts and Sciences
Nichole Origer – Board of Cosmetology Arts and Sciences

Dr. Michael Davidson – Board of Dentistry
Mary Kelly Grief – Board of Dentistry
Bruce Thorsen – Board of Dentistry

Daniel Deutschman – Board of Dietetics
Julie Eichenberger – Board of Dietetics
Stacey Loftus – Board of Dietetics

Marg Stoldorf – Electrical Examining Board

Kerry Dixon – Elevator Safety Board
Kristine Kesterson – Elevator Safety Board
Wayne Sims – Elevator Safety Board

Jack Jones – Landscape Architectural Examining Board
Jonathan Martin – Landscape Architectural Examining Board
Debra Schiel-Larson – Landscape Architectural Examining Board

Ryan Crawford – Board of Massage Therapy
Emily Farrell – Board of Massage Therapy
Michael Hammer – Board of Massage Therapy
Irene Richards – Board of Massage Therapy
Catherine Sampson – Board of Massage Therapy

Hamed Tewfik – Board of Medicine

Dr. Brett Barker – Board of Pharmacy
Gayle Mayer – Board of Pharmacy
Joan Skogstrom – Board of Pharmacy

Robert Palmer – Board of Physical and Occupational Therapy
Melinda Shetler – Board of Physical and Occupational Therapy

Dr. Jon Ahrendsen – Board of Physician Assistants
Michael Schnurr – Board of Physician Assistants

Joshua Goodman – Board of Psychology
Holly Herbert – Board of Psychology
Dr. Earl Kilgore – Board of Psychology
Dr. Heidi Vermeer-Quist – Board of Psychology

GOVERNOR'S APPOINTEES PLACED ON INDIVIDUAL CONFIRMATION CALENDAR

The following appointees, assigned to standing committee for investigation, were placed on the Individual Confirmation Calendar with recommendation for confirmation:

EDUCATION

Gary Steinke – Iowa Higher Education Loan Authority
Sherry Bates – State Board of Regents
Nancy Boettger – State Board of Regents
Nancy Dunkel – State Board of Regents

EXPLANATION OF VOTE

MR. PRESIDENT: I was necessarily absent from the Senate chamber on Thursday, March 30, 2017, when the vote was taken on [House File 586](#). Had I been present, I would have voted AYE.

DAVID JOHNSON

AMENDMENTS FILED

S-3266	S.F. 460	Tim Kraayenbrink
S-3267	H.F. 524	Judiciary